

Notice of Allowability

Application No.

10/020,562

Examiner

Herng-der Day

Applicant(s)

AITKEN ET AL.

Art Unit

2128

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Amendments received 5/13/05 and 6/9/05.
2. ☒ The allowed claim(s) is/are 1-20.
3. ☒ The drawings filed on 13 December 2001 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413),
Paper No./Mail Date 06092005.
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

JEAN R. HOMERE
PRIMARY EXAMINER

DETAILED ACTION

1. This communication is in response to Applicants' Amendment to Office Action dated March 18, 2005, mailed May 10, 2005, received by PTO May 13, 2005, and Applicants' Supplemental Amendment faxed June 9, 2005.

1-1. Claims 1-20 have been amended. Claims 1-20 are pending.

1-2. Claims 1-20 have been examined and allowed.

Reasons for Allowance

2. The following is an Examiner's statement of reasons for allowance:

2-1. The closest prior art of record discloses:

(1) Synchronization in clocked precharge logic and overlapping clocks using stretched clocks (Potter et al., U.S. Patent 6,233,707 B1).

(2) A method for automatically determining test patterns for netlist having multiple clocks and sequential circuits (Dargelas, U.S. Patent 5,938,785);

(3) An asynchronous integrated circuit tester (Lesmeister, U.S. Patent 6,101,622).

2-2. Applicants are disclosing computer-implemented methods and modules for generating a synchronous sequence of test vectors. The methods and modules include providing asynchronous sequence of states, introducing timing constraints from intended system, particular IC design and/or IC tester, as well as generating synchronous sequence of states under respective timing constraints and generating a synchronous sequence of test vectors. These features are generally disclosed in the prior art of record. However, the prior art of record, while generally

Art Unit: 2128

disclosing these features, does not meet the conditions as suggested in MPEP section 2131, namely:

“The identical invention must be shown in as complete detail as is contained in the ... claim.” *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989). The elements must be arranged as required by the claim, but this is not an ipsissimis verbis test, i.e., identity of terminology is not required. In *re Bond*, 910 F.2d 831, 15 USPQ2d 1566 (Fed. Cir. 1990).”

In this case, the prior art of record does not disclose the specific sequence of steps and arrangement of modules as shown in FIG.7-8 and disclosed within the context of independent claims 1, 2, 12, and 18. Therefore, Independent claims 1, 2, 12, and 18 have been allowed over the prior art of record.

Dependent claims 3-11, 13-17, and 19-20 are allowable as they depend on the allowed independent claims 2, 12, and 18.

3. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled “Comments on Statement of Reasons for Allowance.”

Conclusion

4. Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Herng-der Day whose telephone number is (571) 272-3777. The Examiner can normally be reached on 9:00 - 17:30. Any inquiry of a general nature or relating

Art Unit: 2128

to the status of this application should be directed to the TC 2100 Group receptionist: (571) 272-2100.

If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, Jean R. Homere can be reached on (571) 272-3780. The fax phone numbers for the organization where this application or proceeding is assigned is (703) 872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Herng-der Day
June 10, 2005

H.D.

J. R. Homere
JEAN R. HOMERE
PRIMARY EXAMINER